Supreme Court, U.S.
FILED

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No. ____

IN THE

Supreme Court of the United States

JOAN CAROL LIPIN,

Petitioner,

v.

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA., LAWRENCE J. BAER, MARK A. JACOBY, CHRISTOPHER A. PARLO, STEVEN R. WALL, AMERICAN NATIONAL RED CROSS, and ARTHUR W. GREIG, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY,

Respondents.

Petition for a Writ of Certiorari to the United States Court of Appeals for the Second Circuit

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PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Do an injunction and sanctions obtained against petitioner, and the denial of an injunction requested by her, unconstitutionally impinge upon the free speech, equal protection and due process rights of petitioner as guaranteed by First, Fifth and Fourteenth Amendments to the Constitution?

Are Eleventh Amendment restrictions and official immunity defenses applicable to the actions of a political party official and others that are alleged to be violative of the First, Fifth and Fourteenth Amendments, and the Civil Rights Enforcement Statutes found in 42 U.S.C. §§ 1983, 1985, 1986, and 1988?

Are the decisions/orders in which Hon. Chester J. Straub, Judge, United States Court of Appeals, Second Circuit, was involved in issuing, null and void or invalid because Judge Straub was subject to mandatory disqualification pursuant to 28 U.S.C. § 455?

PARTIES TO THE PROCEEDINGS BELOW

Petitioner Joan Carol Lipin, an individual, was the plaintiff and the appellant below.

The respondents in this Court, who were the defendants and appellees below, are National Union Fire Insurance Company of Pittsburgh, Pa., Lawrence J. Baer, Mark A. Jacoby, Christopher A. Parlo, Steven R. Wall, the American National Red Cross, and Arthur W. Greig, who is sued in his individual and official capacity.

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Petition for a Writ of Certiorari to the United States Court of Appeals for the Second Circuit

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Joan Carol Lipin respectfully petitions for a writ of certiorari to review a judgment in the above entitled case by the United States Court of Appeals for the Second Circuit.

The judgment dismisses an appeal from sanctions in the form of monetary sanctions and a permanent injunction imposed upon petitioner by the United States District Court for the Southern District of New York.

OPINIONS BELOW

The unreported opinions and orders of the Court of Appeals are set forth in the Appendix to the Petition ("App.") at 1a-8a. The decisions of the United States District Court for the Southern District of New York are reported at 202 F.Supp.2d 126 (S.D.N.Y. 2002), and 2002 U.S. Dist. LEXIS 18266 (S.D.N.Y. Sept. 25, 2002), and are in the Appendix at 14a-40a; 9a-13a.

JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. § 1254(1).

The judgment of the Second Circuit Court of Appeals dismissing the appeal was entered on February 26, 2003. The mandate was issued on the same date. (App. 5a-6a)

Rehearing was denied on April 23, 2003. (App. 3a)

On June 27, 2003, Justice Ginsburg granted petitioner's motion (03A1) to extend the time to file a petition for a writ of certiorari from July 22, 2003 to September 20, 2003. This petition for a writ of certiorari is timely under Supreme Court Rule 30.1 since September 20, 2003, fell on Saturday. In addition we are informed that the Court was forced to be officially closed on September 19, 2003, and for a period thereafter because of Hurricane Isabel.

An order denying a petition for a writ of mandamus (App. 225a-249a) was entered on July 17, 2003 (App. 1a).

Petitioner's subsequent petition for a writ of mandamus, prohibition, and quo warranto, Docket No. 03-3075, dated July 29, 2003, has not been acted upon as yet.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

28 U.S.C. § 1291 provides in pertinent part that: "The courts of appeals * * * shall have jurisdiction of appeals from

all final decisions of the district court of the United States * * *."

Involved in this petition are the First, Fifth and Fourteenth Amendments of the United States Constitution, and the Civil Rights Enforcement Statutes, 42 U.S.C. §§ 1983, 1985, 1986 and 1988. The foregoing provisions are in the Appendix at pages 256a to 260a.

STATEMENT OF THE CASE

This petitioner arises from a lawsuit alleging continuing retaliatory actions to destroy a well established career in health services, a future career in the law, and employment prospects of petitioner, a victim of sexual harassment whose sexual harassment case in the new York Court was dismissed on procedural grounds unrelated to the merits of the case.

The dismissal of petitioner's meritorious prior action for sexual harassment was subsequently found to have resulted in "a tragedy of epic proportions." for petitioner. (App. 188a, ¶62)

The perpetrators of this "tragedy of epic proportions" include the respondents herein who have subsequently engaged in retaliatory actions against petitioner, aided and abetted by respondent Greig, whose malicious motive has been to destroy petitioner's reputation, employment opportunities and her attempts to develop a new career in the law.

The existence of subsequent defamatory statements by respondents that were maliciously uttered by lawyers to destroy the reputation, credibility and future career prospects of petitioner are in writing about and clearly defamatory. (App. 174a; 179a; 180a-183a; 186a-198a)

Respondents are co-conspirators whose subsequent retaliatory actions against petitioner are set forth in detail in the Amended Verified Complaint in the Appendix at 171a-224a, in petitioner's Notice of Appearance as a Pro Se litigant (App. 250a-255a), her motion for preliminary and temporary

relief, her affidavits filed in response to the district court's order to show why petitioner's motion for a preliminary injunction (App. 105a-170a), which sets forth still further and subsequent retaliatory actions by respondents engaged in by them after petitioner had filed her Amended Verified Complaint on May 24, 2000 (App. 126a-161a), was not "moot," and her motion for relief from judgment, and to vacate, alter, amend and make findings, and to stay, set aside and vacate opinion and order and judgment pursuant to Federal Rule of Civil Procedure 52(a) and (b), 59(a) and (e), 60(b)(2), (3), (4), and (6), and 62(b). (App. 41a-100a)

Respondents' continuing retaliatory acts perpetrated against petitioner are alleged in the Amended Verified Complaint (App.) to be violative of the Civil Rights Enforcement Statutes, 42 U.S.C. §§ 1983, 1985, 1986 and 1988, and petitioner's free speech, due process and equal protection rights under the First, Fifth and Fourteenth Amendments to the Constitution.

Petitioner was ordered by the district court to show why her injunction motion was not "moot." Despite petitioner's extensive factual showing (App. 105a-170a), the district court stated that it ". . . need not address Plaintiff's motion for injunctive relief" (App. 16a), and instead used petitioner's showing (App. 35a) as a basis for punitive action imposing monetary sanctions and a judicial gag order in the form of a permanent injunction imposed in violation of petitioner's free speech rights. (App. 101a-103a)

A principal issue presented by this petition is whether respondent Greig, who is a political lawyer is entitled to claim judicial or official immunity from liability for his retaliatory acts against petitioner, a political adversary known for speaking out for the integrity and independence of the judiciary, and against the corruption and election law violations involved in sham elections of state court judges in

New York in which respondent Greig has been involved, to the direct knowledge of petitioner. (App. 107a-115a; 205a-211a; 225a-249a)

Respondent Greig is not an employee of the State of New York, but a private lawyer whose income in large part is derived from his guardianship appointments and other similar appointments received from state court judges grateful for his assistance in receiving their nomination and election. (App. 238a-248a)

The election expenses that the judicial candidates are forced by respondent Greig to agree to pay as a condition of being considered by him as qualified for judicial office are fictitious because of the monopoly powers that Greig exercises over his party's judicial conventions for the purpose of nominating judicial candidates in New York County. (App. 237a, fn 1; 238a) Such corruption and sabotage of the nomination process of judicial candidates, to petitioner's direct knowledge as an elected Board of Elections Certified Judicial Delegate/Alternate (App. 206a), results in election fraud and a perversion of the electoral process.

Petitioner objected to such intimidating and coercive voting misconduct at the New York State Democratic Party Judicial Conventions for New York County as violative of her protected right to an independent vote, and respondent Greig conspired with the other named respondents herein to retaliate against her, in violation of her First Amendment Free Speech Rights in an attempt to silence her to prevent her from exposing such unlawful activities designed to secure the election of judges friendly to the positions asserted on behalf of their clients. (App. 237a, fn 1; 238a)

Also raised by this petition is whether Hon. Chester J. Straub, one of the panel of Judges who dismissed petitioner's appeal and also denied two substantive motions was required to be disqualified pursuant to 28 U.S.C. § 455.

On the basis of biographical information provided by Judge Straub himself and posted on the Internet (App. 234a-235a), it is apparent that the judge has direct knowledge of Greig's involvement in the process involving the nomination and election of New York judges under which such candidates essentially buy the right to be considered by agreeing to pay $250,000 to $500,000 for fictitious election expenses, as respondent Greig admitted in petitioner's presence at a forum entitled "How To Become A Judge" held at the New York City Bar Association on December 7, 2002. (App. 237a, fn 1; 238a)

Based upon his admitted connections with the same political party in which respondent Greig is a member (App. 235a), the judge's "impartiality might be reasonably questioned" under the standard of 28 U.S.C. § 455(a), and he was required to disqualify himself from participating in petitioner's appeal (App. 234a). *See Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847, 860, 100 L. Ed. 2d 855, 108 S. Ct. 2194 (1988), *Liteky v. United States*, 510 U.S. 540, 548, 127 L. Ed. 2d 474, 114 S. Ct. 1147 (1994). *See also Chase Manhattan Bank v. Affiliated FM Insurance Company*, 2003 U.S. App. LEXIS 18559 (2d Cir. Sept. 9, 2003), which holds that vacatur is the appropriate remedy when even an appearance of partiality prohibited under 28 U.S.C. § 455(a) exists.

Also involved in this appeal is the question of whether petitioner's claims could be considered to be "moot" in view of the continuing effect of the permanent injunction and sanctions obtained by respondents violative of petitioner's free speech rights, and their tortious interference with her right to be represented by counsel effectively for the purpose of seeking a remedy in this litigation for the injuries that have been inflicted upon her.

REASONS FOR GRANTING THE WRIT

The petition for certiorari should be granted for the following reasons.

First, the Eleventh Amendment and judicial or official immunity bases of the decisions below are irreconcilably inconsistent with petitioner's rights to a remedy under the Civil Rights Enforcement Statutes, 42 U.S.C. §§ 1983, 1985, 1986, and 1988, and with this Court's decision in *Nevada Dept. of H.R. v. Hibbs*, _ U.S. _, 155 L.Ed. 2d 953, 123 S.Ct. 1972 (May 27, 2003), a case subsequently decided.

Moreover, such an immunity defense was recently rejected in the Sixth Circuit in *Dubuc v. Michigan Board of Law Examiners*, _ F.3d _, 2003 U.S.App. LEXIS 18153 (6th Cir. Sept. 3, 2003), particularly when, as here, the plaintiff has sought injunctive and declaratory relief. (App. 171a)

The converse of *Republican Party of Minnesota v. White, Chairperson Minnesota Board of Judicial Standards*, 536 U.S. 765 (2002), is presented by the instant case. If a state requires the election of state court judges, but that policy is sabotaged by the actions of a political party official, such improper actions are not subject to immunity from federal court remedies for persons such as petitioner, an eye witness of such misconduct, for injuries caused by ensuing retaliatory actions.

That respondent Greig's activities as alleged in the Amended Verified Complaint are contrary to the public policy of the State of New York, rather than in furtherance of it, is indicated by an the editorial in the *New York Times* of July 28, 2003, entitled "New York's Fake Conventions," which corroborates petitioner's allegations in the Amended Verified Complaint dated May 24, 2000, by describing the disgraceful perversion of the election requirements of the New York Constitution that has occurred. Petitioner has been an eye witness to the involvement of respondent Greig, counsel to the New York County Democratic Committee, Co-Chair of the Law Committee of the Democratic County Committee, New York County, Convenor of the Democratic

Judicial Convention of the 1st Judicial District, and election lawyer for petitioner's political club, in the perversion of such election requirements of the New York State Constitution. (App. 177a-178a; 205a)

Second, the denial of discovery to petitioner by the courts below on the issue of whether respondent Greig, a political official not employed by the State of New York, but only a private lawyer, is entitled to rely upon the defense of judicial or official immunity in connection with his involvement in conspiratorial and retaliatory acts maliciously intended (a) to silence petitioner, his political adversary, for exercising her First Amendment free speech rights in support of the preservation of the integrity and independence of the judiciary, and (b) to sabotage and destroy her ability to develop a new career to earn a living (App. 165a-169a; 238a-239), is irreconcilably inconsistent with *Crawford-El v. Britton*, 523 U.S. 574, 140 L.Ed. 2d 759, 772, 118 S.Ct. 1584 (1998).

That respondent Greig profited handsomely as a lawyer from his involvement in actions involved in the nomination and election of judges is shown in an evidentiary affidavit that he filed on December 20, 2000, in a litigated proceeding in New York County (App. 106a; 112a).

Third, the district court declined to rule on petitioner's motion for temporary and preliminary relief, in which she provides eye witness evidence regarding the perversion of the democratic process and the negation of any semblance of a true "Judicial Convention" for the purpose of casting votes to nominate judicial candidates, as is required by the New York Constitution, and continuing and subsequent retaliatory actions by respondents occurring after petitioner filed her Amended Verified Complaint, namely, respondent Greig's injection of petitioner's complaint into the record in the disciplinary proceeding regarding petitioner's former attorney, a proceeding that did not have jurisdiction over petitioner, to deprive petitioner of competent counsel to

adjudicate her federal court claims and to dismiss her complaint.

Petitioner was ordered by the district court to show why her motion for injunctive relief was not moot on the basis of collateral matters outside the record retroactively relied by the court to dismiss petitioner's Amended Verified Complaint. When petitioner did so (App. 105a-170a), the district court thereupon, without any notice or a hearing, sanctioned petitioner and imposed a permanent injunction against her for proceeding with her litigation.

The decisions below involving claims of retaliation in violation of petitioner's free speech rights are irreconcilably inconsistent with the Sixth Circuit's decision in *Dubuc v. Michigan Board of Law Examiners*, ___ F.3d ___, 2003 U.S.App. LEXIS 18153 (6th Cir. Sept. 3, 2003), and the Ninth Circuit's decision in *Flowers v. Carville*, 310 F.3d 1118, 1128-29 (9th Cir. 2002), and the ensuing district court decision on remand, *Flowers v. Carville*, 266 F.Supp.2d 1245, 1252 (D.Nev. Jul. 21, 2003).

The petition for a writ of certiorari therefore should be granted.

I. THE INJUNCTION IS VIOLATIVE OF PETITIONER'S FIRST AMENDMENT AND FREE SPEECH RIGHTS.

The mootness doctrine is not applicable as a matter of law because the federal court process has not been completed in connection with this litigation in view of the adverse continuing effect of the injunction and monetary sanction to which appellant has been subjected. *See Super Tire Engineering Co. v. McCorkle*, 416 U.S. 115, 40 L.Ed. 2d 1, 94 S.Ct. 1694 (1974), and *Firefighters Local 1784 v. Stotts*, 467 U.S. 561, 568, 571, 81 L.Ed. 2d 483, 104 S.Ct. 2576 (1984).

The punitive injunction and sanctions against petitioner were obtained by or on behalf of a person claiming official immunity for his actions on the basis of the claim that he had acted for the State of New York, whereas his actions were contrary to the law and policy of the State of New York since respondent Greig and his co-conspirators were motivated by the malicious purpose of silencing petitioner in violation of her constitutional rights, and destroying her efforts to re-establish herself professionally by developing a new career which became a necessity when respondents destroyed her successful career as an executive in health services.

Furthermore, the district court's refusal to consider the merits of denial of the injunction sought by appellant is inconsistent with the Sixth Court's decision on September 3, 2003, in *Dubuc v. Michigan Board of Law Examiners*, __ F.3d , 2003 U.S.App. LEXIS 18153 (6th Cir. Sept. 3, 2003).

Nevada Department of Human Resources v. Hibbs, U.S. __, 155 L.Ed.2d 953, 123 S.Ct. 1972 (May 27, 2003), makes it clear that, acting pursuant to Section 5 of the Fourteenth Amendment, Congress targeted gender discrimination against women for a "heightened level of scrutiny" because of "stereotypical views" that have existed in the states "about women's commitment to work and their value as employees," resulting in the denial or curtailment of women's employment opportunities. (155 L.Ed.2d at 968)

Because of this Congressional concern, Congress has exercised the jurisdiction given it in Section 5 of the Fourteenth Amendment to enact legislation to provide remedies to facilitate equal protection for women's career and employment rights that are not subject to the Eleventh Amendment as held in *Nevada Department of Human Resources v. Hibbs*, *supra*, as set forth in the Civil Rights Statutes, 42 U.S.C. §§ 1983, 1985, 1986, and 1988.

This important decision was not available when the Courts below issued the decisions from which this appeal is taken.

II. DISCOVERY WAS REQUIRED AS TO WHETHER RESPONDENT GREIG WAS ENTITLED TO CLAIM IMMUNITY.

Respondent Greig's immunity claim is also directly contrary to a Sixth Circuit decision issued September 3, 2003, upholding a claim under 42 U.S.C. § 1983 in *Dubuc v. Michigan Board of Law Examiners*, ___ F.3d ___, 2003 U.S.App. LEXIS 18153 (6th Cir. Sept. 3, 2003), in which it is held that "Dubuc is correct that judicial immunity does not apply here because defendants are not judges and do not act in a judicial capacity when enforcing the Bar admission rules that Dubuc challenges in this lawsuit (2003 U.S.App. LEXIS 18153 at [* 26], note 4), and that the defendants were properly made subject to a claim for declaratory and injunctive relief in that complaint, which had been dismissed as "moot" (2003 U.S.App. LEXIS 18153 at [* 26]). The Amended Verified Complaint in the instant case also requests declaratory and injunctive relief and petitioner made a motion for obtaining such relief which the district court declined to rule upon before it dismissed the case.

Because of this inconsistency in the Circuits on such an important issue, it is respectfully submitted that a writ or certiorari should be granted.

Further, discovery is of particular importance since the district court erred about the status and function and duties of respondent Greig in view of the petitioner's belief that his retaliatory activities against her were inconsistent with any official status, functions or duties that he possessed. In such a situation, discovery is required under *Dombrowski v. Eastland*, 387 U.S. 82 (1967).

Since the availability of defenses of official or judicial immunity defense asserted on behalf of respondent Greig

depends upon his contention that he was acting "under color of" New York law, the statutory language of 42 U.S.C. §§ 1983, 1985 and 1986, is directly applicable in making a remedy available to petitioner, and the courts below therefore were not free to ignore the availability of that remedy. See *United States v. Lanier*, 520 U.S. 259, 117 S.Ct. 1219, 137 L.Ed.2d 432 (1997).

Moreover, the New York Constitution, respondent Greig is not entitled to rely upon the defense of judicial or official immunity in view of its prohibition against the performance of a judicial function by any person such as Greig, who "holds any office or assumes the duties or exercise[s] the powers of any office of any political organization or [who is] a member of any governing or executive agency thereof." (*McKinney's N.Y. Consol. Laws*, N.Y. Const.Art.VI. § 20(b)(3).)

III. THE DEFENSE OF OFFICIAL IMMUNITY DOES NOT APPLY TO ACTS IN VIOLATION OF FIRST AMENDMENT, FREE SPEECH, DUE PROCESS AND EQUAL PROTECTION RIGHTS.

Crawford-El v. Britton, 523 U.S. 574, 591-2, 140 L.Ed. 2d 759, 772, 118 S.Ct. 1584 (1998), particularly applies to retaliatory action when it is motivated by hostility to the plaintiff.

The credentials of respondent Greig as a political manipulator are directly related to the situation that caused the dismissal by a state court judge of petitioner's prior sexual harassment complaint against a Red Cross executive, a charge that was found to be highly meritorious on the basis of a pretextual hoax that was the product of a conspiracy between lawyers from the two large law firms representing the Red Cross, namely, respondents Baer, Jacoby, Parlo, and

Wall, and the Insurance Company that acted as the financier of the skulduggery involved.

Respondent lawyers Parlo and Wall also have engaged in acts in support of the same retaliatory objective by maliciously defaming plaintiff and her employer in an unrelated federal case by using that case as a pretext to republish defamatory statements on a continuing basis known to them to be false and engaging in overt on-going retaliatory acts that have continued to take place well within any applicable statute of limitations. *See Flowers v. Carville*, 266 F.Supp.2d 1245, 1252 (D.Nev. Jul. 21, 2003).

Since the punitive injunction and sanctions obtained against petitioner were not based on any showing of a compelling state interest, and shown to cause irreparable injury to petitioner, whereas it absence causes no injury to the respondents who are clearly capable of defending themselves without resorting to the "deadly" contempt powers that an injunction gives to them, it is not constitutionally permissible under *Schmidt v. Lessard*, 414 U.S. 473, 476, 94 S.Ct. 713, 715, 38 L.Ed.2d 661 (1974). *See also International Longshoremen's Ass'n., Local 1291 v. Philadelphia Marine Trade Ass'n.*, 389 U.S. 64, 75, 88 S.Ct. 201, 208, 19 L.Ed.2d 236, 244-5 (1967).

A victim of sexual harassment against a chief executive office is a prime candidate for subsequent acts of retaliation. The ceo is able to use the levers of power to inflict continuing retaliatory action subsequently upon his accuser. Nor can such retaliatory actions against petitioner be justified on the ground that her sexual harassment claims were frivolous. As set forth in the Report dated March 14, 2000, from the dismissal of petitioner's sexual harassment claim on irrelevant procedural grounds constituted "a tragedy of epic proportions."

A tragedy of even more epic proportions, however, involves the subsequent activities engaged in by respondents to ruin petitioner's reputation, credibility, and career prospects permanently by defaming petitioner, on a continuing basis, as is specifically alleged in the Amended Verified Complaint, and then seeking to escape responsibility by claiming immunity for their actions when the maliciously defamatory statements were in papers filed in a court, or uttered by a person claiming to be a state official such as respondent Greig.

The mis-reliance on such an immunity defense, however, fails to take into account the availability of a claim for retaliation.

Under *Robinson v. Shell Oil Co.*, 519 U.S. 337, 17 S.Ct. 843, 136 L.Ed.2d 808 (1997), petitioner is entitled to sue the respondents for subsequent retaliatory conduct engaged in for the purpose of silencing petitioner and destroying her economic livelihood and reputation, as alleged in detail in the Amended Verified Complaint.

The fact that such retaliatory defamation about petitioner are stated to a judge in a court proceeding, or to a lawyer, or by a lawyer in a Report, or may be stated in the future as petitioner seeks admission to the Bar makes the character of the injury of petitioner even more irreparable in nature and therefore subject to injunctive relief under *Dubuc v. Michigan Board of Law Examiners*, __ F.3d __, 2003 U.S.App. LEXIS 18153 (6th Cir. Sept. 3, 2003).

Finally, respondent Greig's personal, financial and political interest in retaliating against petitioner raises a questions of great substantive importance as to the availability of Greig's immunity defenses.

In *Tumey v. Ohio*, 273 U.S. 510, 71 L. Ed. 749, 47 S. Ct. 437 (1927), this Court held that due process was violated where a judge received a portion of the fines collected from

defendants whom he found guilty. Such an arrangement, said the Court, gave the judge a "direct, personal, substantial [, and] pecuniary interest" in reaching a particular outcome and thereby denied the defendant his right to an impartial arbiter. *Id., at 523.*

Ward v. Monroeville, 409 U.S. 57, 34 L. Ed. 2d 267, 93 S. Ct. 80 (1972), extended Tumey's reasoning, holding that due process was similarly violated where fines collected from guilty defendants constituted a large part of a village's finances, for which the judge, who also served as the village mayor, was responsible. Even though the mayor did not personally share in those fines, this Court concluded, he "perforce occupied two practically and seriously inconsistent positions, one partisan and the other judicial." *409 U.S. at 60* (internal quotation marks omitted).

This Court applied the principle of Tumey and Ward most recently in *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813, 89 L. Ed. 2d 823, 106 S. Ct. 1580 (1986). That decision invalidated a ruling of the Alabama Supreme Court written by a justice who had a personal interest in the resolution of a dispositive issue. The same principle that invalidated the opinion written by a Justice of the Alabama Supreme Court invalidates the claim of immunity relied upon by respondent Greig and his co-conspirators as a shield for their retaliatory actions against petitioner.

CONCLUSION

For the foregoing reasons, it is respectfully requested that the petition for a writ of certiorari should be granted.

Respectfully submitted,

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